

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GNANA M. CHINNIAH and
SUGANTHINI CHINNIAH,

Plaintiffs,

V.

EAST PENNSBORO TOWNSHIP, *et al.*,

Defendants.

Civil No. 1:15-CV-02240

Judge Jennifer P. Wilson

Magistrate Judge Karoline Mehalchick

ORDER

AND NOW, on this 8th day of January, 2021, upon consideration of Defendants' motions to dismiss, Docs. 94, 99, the report and recommendation of Magistrate Judge Karoline Mehalchick, Doc. 142, and the parties' objections thereto, Docs. 143, 144, 145, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT:**

1. The court **DECLINES TO ADOPT** the report and recommendation denying Defendants' motions to dismiss regarding Plaintiffs' punitive damages claim. (Doc. 142.) The remaining portions of the report and recommendation are **ADOPTED AS MODIFIED**. (*Id.*)
2. The Clymer Conrad Defendants' motion to dismiss is **GRANTED** in part and **DENIED** in part. (Doc. 99.) Specifically, the Clymer Conrad Defendants' motion to dismiss Plaintiffs' claim for breach of contract is

DENIED. The Clymer Conrad Defendants' motion to dismiss Plaintiffs' claims for defamation, civil conspiracy, intentional interference with legal rights and relations, and Plaintiffs' request for punitive damages is **GRANTED.**

3. The Underhill Defendants' motion to dismiss is **DENIED.** (Doc. 94.)
4. The court grants Plaintiffs leave to file an amended complaint accompanied by a certificate of merit within **30 days**, on or before **February 8, 2021**. This amended complaint must be filed as a single, stand-alone document that does not reference prior court filings.
5. This case shall be remanded to Magistrate Judge Mehalchick for pretrial management.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania